



STATE OF MONTANA DEPARTMENT OF REVENUE JOB PROFILE

Working Title

Disclosure and Rules Specialist

Job Code Title

Management Analyst

Pay Band

06

Job Code Number

131816

Director's Office

Legal Services
Regulatory Unit

Fair Labor Standards Act

Non-Exempt

The Montana Department of Revenue administers more than 30 state taxes and fees; establishes values for taxable property, including agricultural land, residential real estate, commercial real estate, forest land, business equipment, railroads and public utilities; supervises the operation of the state liquor stores and agencies and administers the laws governing the sale, taxation, and licensing of alcoholic beverages; and returns unclaimed property to its rightful owners.

The Director's Office supports the agency's Director and is composed of five work units: Legal Services Office; Office of Tax Policy and Research; Office of Human Resources and Organizational Development; Office of Taxpayer Assistance; and the Executive Office. The Legal Services Office provides complete legal services to all divisions and the director's Office, representing the Department of Revenue and the State of Montana before administrative boards and in state and federal courts in all litigation involving Montana taxes and liquor laws. The office also handles all administrative rule, disclosure, and dispute resolution matters for the department. The Legal Services Office is comprised of the Litigation Unit, the Regulatory Unit, and the Office of Dispute Resolution (ODR). The Regulatory Unit is responsible for ensuring compliance with confidentiality requirements including Internal Revenue Service (IRS) security requirements and federal/state information exchanges and ensuring the department appropriately safeguards the integrity of confidential taxpayer information. The unit also provides clerical support to the Office of Dispute Resolution and reviews the department's policies and administrative rules for consistency regarding legislative intent and department practice.

Job Responsibilities

The Disclosure and Rules Specialist monitors policies and business practices to protect confidential tax information and maintain security requirements while facilitating the exchange of information necessary for agency business processes. The incumbent researches legislative intent and conducts studies and special projects to determine the impact of existing, new, or emerging state and federal legislation and reviews the department's policies, procedures, and administrative rules for consistency. The work includes developing and implementing administrative rules that comply with the administrative rules process and the requirements of the Montana Administrative Procedures Act (MAPA). The position reports to the Regulatory Unit Manager and does not supervise other staff.

• Disclosure and Security 50%

1. Evaluates and inspects department records and information systems to ensure federal tax information is only accessible to authorized individuals and is properly secured and protected. Evaluates department-wide records to ensure they meet state and federal confidentiality and security requirements. Develops recommendations for reorganizing files. Ensures electronic records match hardcopy records. Assists with the development of reports to the IRS regarding compliance. Establishes event calendars for compliance reviews and the implementation of new

requirements. Ensures information and requirements for information management are communicated to department staff in a timely manner.

2. Assists with conducting facility and document inspections to ensure information is properly secured and protected. Inspects and observes employee practices related to the safekeeping and use of federal tax information such as storage of records or files and general housekeeping. Recommends more efficient practices for protecting the information.
 3. Assists with the investigation of unauthorized disclosures by researching incidents to identify violations and inappropriate practices. Determines and records the facts of the situation, notifies the unit manager of problems, and recommends steps to attain compliance.
 4. Develops materials for, and participates in, delivering department-wide disclosure training to communicate confidentiality and security requirements and changes. Conducts research as necessary to gather information needed for training.
 5. Coordinates public records requests handled by the unit related to confidential and non-confidential information including Freedom of Information Act (FOIA) requests. Ensures the safeguarding of confidential information and compliance with the Public Records Act by advising the requestor of procedures for requesting and obtaining copies of public records; verifies the confidentiality status of requested information; and coordinates the response following department policies and procedures related to disclosure. When appropriate, uses the department's integrated tax system (GenTax) to provide the requested information. Responds to information and security requests from employees, other state agencies, and state officials
 6. Collects information and drafts documents as directed. Works with the unit manager in preparing reports. Tracks the various types of information received and sent by the unit such as annual activity reports, safeguard procedures reports, and customized information sent to state officials, other governmental agencies, and the general public. Draws conclusions from and reports the outcomes of the research and analysis.
 7. Updates and maintains current lists of employees authorized to exchange information with the department, other state revenue departments, other Montana agencies, and the federal government. Works with the unit manager and chief legal counsel to interpret exchange agreements and ensure those documents do not exceed the state and federal laws and regulations. Coordinates communications to maintain the department's relationship with federal and state contacts regarding the security services, problem resolution, and disclosure functions.
 8. Participates in strategic planning for the unit. Develops safety measures. Documents computer access for external security audits. Works with the unit manager and the computer security specialist to ensure employees have the necessary computer access to effectively execute their duties and still maintain the safety and security of the department's computer systems in compliance with federal, state, and department policies and procedures.
 9. Participates in Security Task Force meetings. Assists with duties identified by the task force.
- **Administrative Rules, Policies, and Legislative Implementation 45%**
 1. Meets with division staff to develop, amend, or repeal administrative rules by assisting in drafting, editing, and finalizing them to ensure they meet the requirements of the MAPA, the Attorney General's Model Rules, and the Secretary of State's guidelines.
 2. Assists division staff with writing administrative rule notices. Reviews drafts to determine accuracy of the content, grammatical correctness, proper statutory authority and implementing citations are listed, clear and concise reasonable necessity statements are included, and the timelines established for adopting rules is strictly followed. Works with the unit manager, division staff, and attorneys to correct rules as appropriate.
 3. Tracks and monitors the status of rule-making projects to ensure timely completion.
 4. Provides the proposed notices to the unit manager and the director for review and approval prior to submission to the Secretary of State's office for filing.
 5. Conducts a biennial review of all rules and policies to ensure they continue to reflect the original intent of the applicable statutes and policies and conform to department statutes as well as MAPA. Identifies any rules or policies that must be revised as the result of legislative action.

6. Assists with the research and development of department policies as directed by leadership.
 7. Works with management to identify potential legislative issues related to the rules and policies.
 8. Conducts research and analysis as assigned to assist in the analysis of tax proposals and legislation. Estimates the fiscal impact and administrative costs of proposed legislation. Works with administrators, bureau chiefs, unit managers, and legal staff in interpreting the laws, rules, and procedures to develop effective and efficient responses to proposals.
 9. Coordinates and supports the department's implementation of new laws and legislative initiatives to ensure compliance and the statutes are implemented according to legislative intent. Monitors and tracks legislation that may affect the department. Meets with division staff to gather input regarding the implementation of new laws. Provides technical support for the development or amendment of rules, policies, procedures, and other related services as assigned.
 10. Drafts unit procedures. Reviews department-wide procedures for conformity with the department policy on format and content. Assists the unit manager with training on how to write, locate, and manage policies and procedures.
- **Other Duties as Assigned 5%**
 1. Performs a variety of other duties such as coordinating special projects and events.
 2. Fills in for the unit manager. Required to learn the duties of the Regulatory Unit Manager.
 3. Attends training and continuing education.

Job Requirements

To perform successfully as a disclosure and rules specialist, the incumbent must be self-motivated; possess a strong work ethic; maintain a positive attitude; and enjoy working with, and for, the public. Skills in interpreting, explaining, and applying laws, regulations, and policies; planning, implementing, and evaluating special projects; conducting manual and electronic research; compiling, organizing, and managing information; analyzing information, identifying problems, defining alternatives, and developing recommendations; and making presentations to groups of varying sizes and levels of understanding are required. Also required are skills in multi-tasking; paying attention to details and accuracy; accountability; managing multiple priorities under tight deadlines; providing timely and effective written, verbal, and interpersonal communication; negotiation and conflict resolution techniques; establishing and maintaining effective relationships; dealing tactfully with other agencies and the public; following written and oral directions and instructions; and word processing, spreadsheet, and database applications. This position works with highly confidential financial and tax information and is required to maintain the highest level of confidentiality regarding all information acquired or used in performing this job.

This position requires knowledge of principles and practices of business administration; records management; auditing and compliance monitoring practices; investigative techniques; researching law, policies, and administrative rules; effective report and business or legal writing; and word processing, spreadsheet, database, document management, and related software. Knowledge of the MAPA and state and federal tax systems is preferred.

- The minimum level of education and job-related work experience needed as a new employee **on the first day** of work is a bachelor's degree in business, public administration, or a related field and three years of job-related work experience.
 - Work experience should be made up of progressively responsible experience researching issues related to tax administration, federal and state laws or policies, administrative rules, and issues and practices surrounding confidentiality and privacy of public records.
 - Other combinations of education and experience will be evaluated on an individual basis.

Department Core Values

- **Respect:** As a representative of the people of Montana, proceeds with the highest level of respect for the dignity of every person contacted through work. Without exception, all people are treated as equally as possible. The employee is a faithful steward of the resources provided to this agency by the citizens of Montana.

- **Integrity:** Conducts work honestly and makes decisions that establish a clear record that the department serves the public with integrity. Apologizes for mistakes and gives credit to others for their cooperation, work, and ideas in achieving positive results. Accountable for their actions and holds others accountable for theirs. Decisions and judgments achieve equity and justice for all parties involved including citizens and co-workers.
- **Productivity:** Consistently strives to minimize the waste of the department's financial, facilities, and human resources. Diligently works to improve the productivity and effectiveness of the work unit. Welcomes and encourages new ideas on improving the results of the department from the public, other officials, colleagues, and supervisors. Approaches work in a manner that builds goodwill, trust, and cooperation internally with other staff and externally with the public.
- **Teamwork:** Maximizes cooperation and teamwork when working with other employees, divisions, and other state agencies. Willing to work with others for the opportunity to learn from their ideas, talents, and knowledge. Seeks to resolve conflicts with other employees and work units in an open and respectful manner that reinforces teamwork. Celebrates the successes of others.

Working Conditions

This position has considerable mental stress and pressure due to workload, deadlines, time constraints, significance of decisions made, and the challenging nature of contacts. At times, the incumbent will deal with angry, hostile, and difficult individuals to resolve concerns or to bring about compliance with regulations. This may cause stressful work conditions and a high degree of mental stress. As a Department of Revenue employee, the incumbent may come into contact with highly confidential financial and tax information and is required to maintain the highest level of confidentiality regarding all information acquired or used in performing this job. This position requires considerable computer and keyboard use. The incumbent may spend considerable time on the phone. Work hours may exceed 40 hours per week from time to time. This job requires travel in and out of the state, which requires a valid Montana driver's license. Lifting is infrequent, less than 15 pounds and includes carrying light items such as papers and books. This job requires regular attendance as scheduled by the supervisor. This job cannot be performed at an alternate work site.

Special requirements

- **Background Examination:** Applicants for this position will be subject to a criminal background review before being considered for employment. Individual circumstances involving a criminal conviction will be reviewed to determine an applicant's eligibility for employment.
- **Compliance with All Appropriate Montana Tax Laws:** An employee's tax status must be current.

This job profile was produced by the Office of Human Resources in conjunction with the appropriate managers.

Division Administrator Review: The statements in this job profile are accurate and complete.

Signature: C.A. Daw, Chief Legal Counsel Date: August 2010

Human Resource Director Review: The Office of Human Resources has reviewed this job profile.

Signature: JeanAnn Scheuer, Human Resources Director Date: August 2010

Employee: My signature below indicates I have read this job profile and discussed it with my supervisor.

Signature: _____

Date: _____

Name (print): _____